

MINUTES
Montana Fish, Wildlife & Parks Commission Meeting
FWP Headquarters – 1420 East 6th Avenue
Helena, MT

AUGUST 13, 2009

Commission Members Present: Shane Colton, Chairman (via teleconference); Dan Vermillion, Vice-Chairman (via teleconference); Willie Doll; Ron Moody; Bob Ream.

Fish, Wildlife & Parks Staff Present: Joe Maurier, Director, and FWP Staff.

Guests: See August 13, 2009 Commission file folder for names of who signed in.

A work session was held the afternoon of August 12 to discuss HB454 hunting access agreements and the FWP grazing management program.

Topics of Discussion:

1. Call to Order - Pledge of Allegiance
 2. Approval of Minutes of June 25, 2009 and July 8, 2009
 3. Approval of Commission Expenses through July, 2009
 4. Set Time for August 27, 2009 Conference Call
 5. Commission Reports
 6. Falconry Administrative Rules – Final
 7. 2010 Fishing Regulation Changes – Tentative
 8. North Shore of Flathead Lake Fisheries Conservation Project – Bigfork Parcel – Final
 9. Stipek Fishing Access Site Acquisition (Hagenston Property) near Glendive – Final
 10. Commercial Use Administrative Rules – Tentative
 11. Commercial Use Permit Fee Rule – Tentative
 12. 2009 Furbearer Quotas – Final
 13. 2009 Early Season Migratory Bird Regulations – Final
 14. 2009 Bison Season / Quotas - Final
 15. Select Organizations to Auction 2010 Moose, Sheep, Goat, Deer & Elk Licenses – Final
 16. 2009 Late Season Waterfowl Seasons/Closures – Tentative
 17. Montana Bighorn Sheep Conservation Strategy – Endorsement
 18. Helena Urban Deer Management Plan Implementation – Tentative
 19. Grizzly Bear Discretionary Mortality Memo of Understanding - Final
 20. Neal Ranch Property Acquisition near Sun River WMA - Final
 21. Marshall Block Acquisition in Clearwater Watershed – Endorsement
 22. Fish Creek Tributary of the Clark Fork River Fee Title Purchase – Endorsement
 23. Open Microphone – Public Opportunity to Address Additional FWP Issues
1. **Opening - Pledge of Allegiance.** Acting Chairman Bob Ream called the meeting to order at 8:30 a.m. and led the Pledge of Allegiance.

2. Approval of Minutes of June 25, 2009 and July 8, 2009

Action: Doll moved and Moody seconded the motion to approve the June 25, 2009 minutes. Motion carried. Moody moved and Doll seconded the motion to approve the July 8, 2009 minutes. Motion carried.

3. Approval of the July, 2009 Commission Expense Report.

Action: Doll moved and Moody seconded the motion to approve the July expense report as presented. Motion carried.

4. Set Time for August 27, 2009 Conference Call. Following a brief discussion, the conference call regarding 2009 late season migratory bird seasons and 2009 CS&KT upland game bird and waterfowl regulations was scheduled for 9:00 a.m. on August 27, 2009.

5. Commission Reports.

Doll stated that the work session yesterday was productive.

Vermillion is continuing to work with the Madison Working Group on the Management Plan.

6. Falconry Administrative Rules – Final. Tim Feldner, FWP Enforcement Division Wildlife Permit Manager, explained that falconry licensing has been co-regulated by the US Fish and Wildlife Service (USFWS) and FWP since the 1970s, but recently the USFWS decided to discontinue their involvement in the licensing process. Subsequent to that decision, the USFWS made revisions to their regulations, and based on those revisions, FWP is revising the administrative rules regulating falconry to coincide with federal regulations.

Three public meetings were held, and all were well attended. The public comment period generated twenty-eight comments, of which three expressed opposition to falconry in general, and some opposition to the proposed fee of \$150 for the three-year permits was voiced. Historically, the USFWS charged \$100 and FWP charged \$25 for the three-year permits. FWP had recommended a fee of \$150 in the tentative regulations, however since some falconers viewed the \$25 increase as a major increase, FWP amended that recommendation to \$125 to appease the falconers. Additionally, the first-time apprentice fee was reduced to \$50 from the current \$125. Additional clarifications were made to the rules, such as specifics related to units of measure for scales and balances used to weigh raptors.

Moody asked how many licensed falconers there are in Montana, what the incremental expenses for administering this program are, and if the fee revenues cover the costs of administering the program.

Feldner replied that FWP currently licenses 95 falconers at the apprentice, general, or master falconer levels. FWP administers and scores tests given to applicants, keeps files on each individual falconer, keeps inventory of the birds kept by falconers, and maintains additional related records. The \$125 fee will come close to covering costs.

Action: Moody moved and Doll seconded the motion to approve the proposed rules for the revised falconry regulations.

Acting Chairman Ream asked for public comment.

Blair Anderson, Montana Falconer's Association, stated that the 60-member Falconer's Association supports these regulations. The rules are good for the resource.

Action on Motion: Motion carried.

7. 2010 Fishing Regulation Changes – Tentative. Karen Zackheim, Acting Fisheries Division Bureau Chief, and Don Skaar, FWP Fisheries Division Fish Management Manager, presented the proposed regulation changes. Bruce Rich, FWP Region 3 Fisheries Manager, Pat Saffel, FWP Region 2 Fisheries Manager, and Jim Vashro, FWP Region 1 Fisheries Manager, were teleconferenced in to the meeting and available to answer questions.

Several years ago a regulation cycle was developed whereby major changes to fishing regulations were introduced every four years, and only those regulation changes that involve clarification, relevancy, conservation needs, or enforcement issues are brought forward for action during the off-cycle years. The 2010 fishing season is an “off” year, so major changes are not proposed at this time. Recommended changes involve the definition of a “reservoir”, three changes in the Western District specific to Fish Creek, Wounded Buck Bay, and the Flathead River, and two changes in the Central District specific to the Tenmile Creek drainage and Deep Creek.

Acting Chairman Ream asked for public comment. There was none.

Action: Ream moved and Doll seconded the motion to adopt the Department’s proposed tentative regulation changes for the 2010 fishing season. Motion carried.

8. North Shore of Flathead Lake Fisheries Conservation Project – Bigfork Parcel – Final. Candace Durran, FWP Lands Section, explained that FWP proposes to acquire a 70-acre parcel of land, appraised at \$1.5 million, located on the north shore of Flathead Lake near Bigfork and North Shore State Park. Bonneville Power Administration will fund the \$1 million dollar project to help mitigate damage to fish and habitat caused by construction associated with Hungry Horse Dam. The USFWS agreed to allow use of their access site for a year as this parcel does not currently have access. FWP will institute seasonal public use closures for the protection of nesting bald eagles and migratory and nesting waterfowl and other birds, consistent with those on the adjoining federal Waterfowl Production Area and North Shore State Park/WMA property. The comment period generated sixteen supportive responses.

Action: Doll moved and Moody seconded the motion to approve the North Shore Fisheries Conservation Project—Bigfork Parcel acquisition. Motion carried.

9. Stipek Fishing Access Site Acquisition (Hagenston Property) near Glendive – Final. Tom Reilly, FWP Parks Division Capital and Recreation Bureau Chief, introduced Roger Semler, FWP Parks Division Field Operations Bureau Chief. Semler explained that FWP proposes to purchase the 35-acre Hagenston property on the Yellowstone River near Glendive, to develop Stipek Fishing Access Site, to be named after the Stipek townsite. This site is located on a 22-mile stretch of the river between Black Bridge FAS and Intake FAS, and would provide an excellent access opportunity. The property has a quarter-mile of river shoreline with cottonwood and green ash riparian forest, as well as a hay meadow. The purchase price of \$164,000, established by appraisal, reflects an eight percent reduction from the original asking price. Funds from the Access Montana program will be used for the property purchase.

Potential development includes an improved gravel access road and parking area, fencing, signage, a boat ramp, and a vault latrine. The Department is working with railroad authorities to attain a safe crossing, as accessing the property requires crossing an active railroad track.

The comment period generated two comments in favor and one opposed. The opponent feels the price is excessive (the property was listed at \$179,000 before the appraisal), that there will be excessive traffic, that there will be dust and noise, and that the access road is problematic as it is under joint ownership with a neighboring landowner.

FWP legal staff determined that the Department has a lawful right to allow public use on the road should approval for the purchase be granted by the Commission and Land Board. FWP would also monitor site use and address potential dust, noise and weed issues.

Action: Vermillion moved and Doll seconded the motion to authorize Fish, Wildlife & Parks to purchase the Hagenston property for \$164,000.

Moody said that since tentative approval of this property, the Commission has received substantial public comment. The area residents who normally advocate public access are in opposition of this proposal because it consists of a shallow gravel bar, and they feel it is useless. There is also concern over the cost of developing an access road.

John Little, FWP Region 7 Parks Manager, said he has been to the site three times and there was adequate water all three times.

Director Maurier stated that the landowner, understanding the value of public access, approached FWP with an offer to sell this land to FWP for public use. Fishing and floating are not the only benefits of this site, hunting will also be a part of it. There is an underlying current that some of the folks opposing this fishing access site only want access for themselves, not for the general public.

Vermillion said that public access is difficult in this area, and this site would provide a much needed opportunity. He said he supports this proposal and echoes the Director's comments.

Colton also expressed support for this acquisition.

Action on Motion: Motion carried.

10. Commercial Use Administrative Rules – Tentative. Roger Semler, FWP Parks Division Field Operations Bureau Chief, briefed the Commission on the proposed changes to the commercial use rules. The Department proposes amendments that will streamline and clarify the existing administrative rules.

Recommendations are:

1. New definitions for “outfitter”, “guide”, and “water-based service provider”. Changes would result in more consistency with Montana Board of Outfitter’s definitions, and will distinguish between licensed and non-licensed service providers. The current definition for a water-based outfitter is confusing for some commercial users and staff.
2. Another recommended change would allow FWP to issue FAS Permits that are valid for the time period specified on the permit (currently the only option is an annual permit). The Commission would specify the permit time period and cost in the commercial use permit commission fee rule. This change would provide more flexibility to issue permits for a time period that is commensurate with the characteristics of commercial use occurring.
3. The rules would clarify that permitting decisions for commercial use at Wildlife Management Areas must comply with a *statewide plan* for authorizing and administering commercial use at WMAs. The current rules indicate that FWP will prepare a plan for *each* WMA. In the interest of coordination and consistency across the state, staff developed one statewide plan that guides commercial use permitting decisions at all WMAs.

Action: Doll moved and Vermillion seconded the motion to approve the tentative commercial use administrative rules pending public comment.

Acting Chairman Ream asked for public comment.

Robin Cunningham, FOAM, said he agrees with the flexibility of the rules, and supports the changes.

Action on Motion: Motion carried.

11. Commercial Use Permit Fee Rule – Tentative. Roger Semler, FWP Parks Division Field Operations Bureau Chief, explained the proposed changes to the permit fee rules.

1. Streamline the rule, and remove duplicative language that is already included in the commercial use administrative rules.
2. Revise permit fee amounts to reflect administrative costs and concerns of commercial users. This would include the following amendments:

Type of Permit/Use:	Current Fee	Proposed Fee
Fishing Access Site Permit	\$100 per year	\$100 per year; or \$35 per 3 days
Watercraft livery, rental, and demonstration	3% of unadjusted income	\$100 per year
Guided tour or trip	\$2 - \$10 per client day	\$3 - \$5 per client day
Special events	\$10 - \$50 per day; or \$2 - \$10 per participant	\$3 per event participant
Vending	3% of unadjusted income; or \$10 - \$50 per day	3% - 7% of unadjusted income; or \$25 - \$75 per day
Still photography, filming	1 person crew: \$25 per day or \$50 per year; 2 – 5 person crew: \$50 per day; 6 – 20 person crew: \$100 per day; 21 – 35 person crew: \$200 per day; 36 – 50 person crew: \$300 per day; 51 or more person crew: \$400 per day.	1 – 3 person crew: \$25 per day or \$50 per year; 4 – 7 person crew: \$50 per day; 8 – 20 person crew: \$100 per day; 21 – 35 person crew: \$200 per day; 36 – 50 person crew: \$300 per day; 51 or more person crew: \$400 per day.
Non-service use, consumptive commercial use	\$10 - \$300 per day	\$300 - \$1000 per day

Action: Vermillion moved and Doll seconded the motion to approve the tentative rule for commercial use permit fees pending public comment. Motion carried.

12. 2009 Furbearer Quotas – Final.

There were no recommended changes to the tentatives.

Action: Vermillion moved and Doll seconded the motion to adopt the final 2009 Furbearer Quotas / Subquotas as recommended by the Department. Motion carried.

13. 2009 Early Season Migratory Bird Regulations – Final.

There were no recommended changes to the tentatives.

Action: Moody moved and Doll seconded the motion to adopt the final 2009 Early Season Migratory Bird Seasons as recommended by the Department. Motion carried.

14. 2009 Bison Season / Quotas - Final.

There were no recommended changes to the tentatives.

Action: Doll moved and Colton seconded the motion to approve the final 2009 Bison Regulations and Quotas as recommended by the Department. Motion carried.

15. Select Organizations to Auction 2010 Moose, Sheep, Goat, Deer & Elk Licenses – Final. Annual rules establishing criteria and procedures for selecting conservation organizations to conduct the moose, sheep, goat, mule deer, and elk license auctions / lotteries were adopted by the Commission in June. Following that approval, FWP solicited applications to conduct the auctions/lotteries. The Rocky Mountain Elk Foundation applied for

the elk and moose licenses, the Mule Deer Foundation applied for the mule deer and bighorn sheep licenses, the Wild Sheep Foundation applied for the bighorn sheep, moose, and mountain goat licenses, and the Safari Club International applied for the mountain goat and moose licenses. The SCI also asked to be considered for antelope and bison if they become available for auction. FWP does not make recommendations for selection of the recipients of these licenses, the decision is left entirely up to the Commission. Additional species, such as antelope and bison, need to be mandated statutorily.

Acting Chairman Ream called for representatives of these organizations to speak if they so desired.

Scott Westphal, Rocky Mountain Elk Foundation, said the RMEF is a “born and raised Montana organization” that has raised many dollars, and has funded many projects. Based on a three-year average of past performance, they estimate a revenue of \$18,000 for the moose tag and \$20,000 for the elk tag, which is what they have applied for.

Jim Weatherly, FNAWS, said they have a track record of maximizing the revenue of the bighorn sheep tag, and would like the opportunity again this year. The winning bid was \$245,000 last year.

Neil Thagard, Wild Sheep Foundation, said they would appreciate the opportunity to auction the goat and moose permits this year. Historically, they have generated a great deal of money auctioning permits.

Action: Colton moved and Doll seconded the motion to award the 2010 Elk and Moose licenses to the Rocky Mountain Elk Foundation, the 2010 Mule Deer license to the Mule Deer Foundation, the 2010 Bighorn Sheep license to FNAWS, and the 2010 Mountain Goat license to Safari Club International. Motion carried.

Moody stated that a representative from every one of the organizations that apply for licenses should be present at the Commission meeting to speak and/or respond to questions.

16. 2009 Late Season Waterfowl Seasons/Closures – Tentative.

Jeff Herbert, Wildlife Division Assistant Bureau Chief, presented the proposed changes to the 2008 Late Season Waterfowl Regulations as listed below.

Central Flyway

- Youth Waterfowl Season: Sept. 26-27 (2 days)
- Duck, Coot and Tundra Swan (500 permits only) Season: Oct. 3–Jan. 7 (97 days)
 - Ducks: Daily bag limit shall be 6 ducks or mergansers, possession limit twice daily limit. Daily bag limit shall not include more than 5 mallards no more than 2 of which may be hens, 2 redheads, 2 scaup, 3 wood ducks, 1 pintail and 1 canvasback.
 - Coots: 15 daily, possession limit twice the daily limit
- Goose Season: Oct. 3 – Jan. 15 (105 days)
 - Geese: Dark - 4 daily, possession limit twice the daily limit
White - 6 daily, possession limit twice the daily limit

Pacific Flyway

- Youth Waterfowl Season: Sept. 26-27 (2 days)
- General Waterfowl Season: Oct. 3–Jan. 15 (105 days)
- Scaup Season: Youth weekend and Oct. 3-Dec. 27 (86 days)
 - Ducks: Daily bag limit shall be 7 ducks or mergansers, possession limit twice daily limit. Daily bag limit shall not include more than 2 hen mallards, 2 pintail, 2 redheads, 1 canvasback and 3 scaup.
 - Coots: 25 daily and in possession
 - Geese: Dark - 4 daily, possession limit twice the daily limit
White - 6 daily, possession limit twice the daily limit
- Swan (500 permits only) Season: Oct. 10–Dec. 1

Replace existing Wanton Waste language with: No person shall kill or cripple any migratory game bird pursuant to this part without making a reasonable effort to retrieve the bird, and retain it in his/her actual custody. It is illegal to waste any part of any game animal, game bird, migratory game bird or game fish that is suitable for food.

Replace existing Game Parts Suitable For Food language with:

- All birds the size of a teal duck or smaller, the breasts must be retained.
- All birds larger than a teal duck, the breasts and thighs must be retained.

Action: Moody moved and Doll seconded the motion to adopt the tentative Late Season Waterfowl Seasons / Closures as recommended by the Department. Motion carried.

17. Montana Bighorn Sheep Conservation Strategy – Endorsement. Quentin Kujala, FWP Wildlife Management Bureau Chief, and Tom Carlsen, FWP Region 3 Wildlife Biologist, briefed the Commission on the recently completed draft bighorn sheep conservation strategy. It has been a long process and many players have been involved. Montana has never before had a conservation plan for bighorn sheep, so the process has had to begin from scratch. The document is divided into two chapters. Chapter 1 provides a history of past and current management of bighorn sheep in Montana, and defines future management direction for the next ten years. Chapter 2 contains individual management plans for bighorn populations in each of Montana's bighorn sheep hunting districts, as well as in five small populations that are not currently hunted. The strategy is intended to be flexible for incorporation of new ideas, and adaptive to management changes in bighorn populations and their habitats. Carlsen narrated a power point presentation that described components of the strategy and provided a variety of photos.

Action: Shane moved and Moody seconded the motion to endorse the Draft Montana Bighorn Sheep Conservation Strategy as proposed by the Department.

Acting Chairman Ream asked for public comment.

Tom Powers, Montana Chapter of FNAWS, said they met with FWP three years ago expressing their desire to implement a statewide plan. Within a month, that was happening with Tom Carlsen at the helm. FWP and the Commission have done an excellent job in bringing this forward.

John Helle, Montana Woolgrower's Association, said they support an effective management plan. Domestic sheep have been blamed for die-offs of bighorn sheep. They are concerned and want to look at this plan in depth. The domestic sheep industry must survive while still enhancing the wild sheep. They want to see research of diseases between the two species, and requested a meeting be held with FWP and the domestic sheep industry on how this plan will affect them.

Action on Motion: Motion carried.

18. Helena Urban Deer Management Plan Implementation – Tentative. In 2003, the Montana Legislature authorized cities to create plans to control wildlife for public health and safety within city limits. These plans must be approved by the FWP Commission. The City of Helena developed their urban deer management plan for removal of 350 deer and presented it to the FWP Commission. The Commission approved two pilot projects allowing the City to remove 200 deer with limited assistance from FWP. The City of Helena is now seeking to define a new approach for urban deer management through a programmatic environmental assessment that confirms objectives and methods. They are requesting authorization to remove an additional 150 deer of any sex and age class in any part of Helena between November 13, 2009 and March 31, 2010 using the same trapping methodology as the previous pilot efforts. These 150 deer represent the remaining balance of the original request to remove 350 deer. No significant FWP staff or resources are slated for this deer removal component. The quota does not apply to individual deer removed under urgent public-safety situations that may occur.

Action: Moody moved and Doll seconded the motion to endorse this EA approach to identify and confirm specific frameworks for further implementation of the Helena Urban Deer Management Plan and adopt as tentative the recommendation to allow the City of Helena to take 150 deer between November 13, 2009 and March 31, 2010 as proposed by FWP.

Acting Chairman Ream asked for public comment.

Troy McGee, Helena Police Chief, said the police department conducted the reduction in 2009. They want to further analyze the process. The City paid for the electricity to run the cooler, and for costs associated with the use of FWP's truck. They set twenty-eight traps in three areas. \$30,000 was budgeted, but expenses came in at \$36,000. Approximately 4,499 pounds of meat has been given to Helena Food Share.

Dave Neilsen, City Attorney and Acting City Manager, said they would continue to study and monitor data, as well as conduct a census and look at other acceptable ways to mitigate the deer/human interaction.

Mike Ottman, FWP Warden Sergeant, said he has been involved with the deer situation for a long time. Calls to the office have decreased drastically since this has been instituted because the City is handling more of them.

Vermillion questioned at what point the City will cease taking such an aggressive approach.

Action on Motion: Motion carried.

19. Grizzly Bear Discretionary Mortality Memo of Understanding – Final. Ken McDonald, FWP Wildlife Division Chief, said the purpose of this MOU is to define the process by which the states of Wyoming, Idaho and Montana will coordinate and develop annual recommendations for the allocation of discretionary mortality of grizzly bears in the Greater Yellowstone Ecosystem. After Grizzly Bears were delisted, a range-wide conservation agreement was developed. The agreement identified a mortality threshold whereby if grizzlies remain under the thresholds, a healthy population should be maintained. An intensive monitoring program is in place to monitor population trends and status. This MOU is an agreement between the three states so mortality thresholds are not collectively exceeded in the ecosystem. All three states are requesting approval of this MOU by their respective Commissions in August. The allocation of discretionary mortalities could allow for the hunting of grizzly bears consistent with the Final Grizzly Bear Conservation Strategy for the Greater Yellowstone Area and state management plans. The Conservation Strategy allows for allocation of these mortalities only when the previous years mortalities, ecosystem wide, have not exceeded 9% of the total population of adult females, 15% of adult males, and 9% of dependent young. Limiting management removal of conflict bears and reducing human-grizzly bear conflicts overall is critical to remain below these limits.

McDonald said the Greater Yellowstone Ecosystem consists of a large circle within the three states. The three states will meet each year to review mortality and decide at that point where to go. Wyoming is not interested in more bears.

Vermillion asked if this MOU will prevent a situation such as with the wolves where there is no cooperation with Wyoming.

McDonald replied that the MOU lays out cooperation and collaboration.

Action: Doll moved and Vermillion seconded the motion to support the Department's participation in, and commitment to, the MOU regarding the management and allocation of discretionary mortality of grizzly bears for hunting in the Greater Yellowstone Ecosystem. Motion carried.

20. Neal Ranch Property Acquisition near Sun River WMA – Final. The landowner declined the offer made by FWP so this item is not up for Commission action.

21. Marshall Block Acquisition in Clearwater Watershed – Endorsement. Ken McDonald, FWP Wildlife Division Chief, said this project is also known as the Clearwater Lands project. FWP proposes to purchase, fee title, the Marshall Block parcel, which consists of 24,300 contiguous acres in the Blackfoot's upper Clearwater watershed. It is part of the Montana Working Forests Project through which The Nature Conservancy and The Trust For Public Lands will purchase and re-sell 310,000 acres of Plum Creek timberland in western Montana to state and federal agencies or private conservation buyers. Acquisition of this parcel by FWP has strong support from local communities, sportsmen's groups, the Missoula Board of County Commissioners, the USFS, the USFWS, and the local timber industry.

This parcel provides critical bull trout spawning habitat, and much of the area is within the designated USFWS Grizzly Bear Recovery Area. It also includes the most important lynx habitat in the western United States, and supports habitat for at least 14 FWP Tier 1 Species of Greatest Conservation Need. The area is one of the highest rated snowmobiling destinations in the U.S., provides tens of thousands of public hunter-days each fall, and is highly valued by the Montana recreating public for camping, hiking, and boating.

Vermillion recused himself from discussion due to his involvement with The Nature Conservancy.

Colton stated that it must be made clear that it puts other projects on hold while this is being worked on.

Moody added that other good opportunities will be missed out on if this is pursued.

Action: Moody moved and Doll seconded the motion to endorse FWP's efforts to purchase and manage 24,300 acres of important wildlife habitat and recreational lands in the upper Clearwater watershed.

Acting Chairman Ream asked for public comment.

Tom Barnes, Dillon, MTA, said the trapping community would be in favor of the acquisition.

Action on Motion: Motion carried. (Vermillion recused himself due to his involvement with the Nature Conservancy).

22. Fish Creek Tributary of the Clark Fork River Fee Title Purchase – Endorsement. Ken McDonald, FWP Wildlife Division Chief, explained that FWP proposes to acquire 40,945 acres, fee-title, within Fish Creek, the largest tributary drainage of the middle Clark Fork River. The landscape has high wildlife and fish values, with seven elk herds, mule deer, white-tailed deer, bighorn sheep, mountain lion, black bear, wolves, furbearers, bull trout and westslope cutthroat trout. Fish Creek and its tributaries support the strongest runs of bull trout and westslope cutthroat trout within the 120-mile reach of the middle Clark Fork watershed, with streams supporting genetically pure westslope cutthroat trout. The property borders the Lolo National Forest, DNRC lands and some private lands. The Fish Creek drainage connects populations from the Cabinet Range, Mission Mountains, and the Ninemile Divide to the Selway-Bitterroot Wilderness. The area would be managed as a WMA, with the possibility of a portion of it developed into a state park. The Nature Conservancy is interested in selling the property as an alternative to subdivision and development. Funding potential for this project may come from Habitat Montana, Pittman-Robertson, Wildlife Access, and/or Access Montana in the amount of approximately \$14,350,000.

Vermillion recused himself from discussion due to his involvement with The Nature Conservancy.

Acting Chairman Ream asked for public comment.

Mary Ellen Schnurr asked if this project would be managed similar to the Marshall Block with the logging component.

Director Maurier said because Fish Creek has largely been logged, FWP doesn't feel there will be a logging component on this parcel.

Tom Barnes, Dillon, MTA, urged the Commission to endorse the project if it opens up access.

Action: Doll moved and Moody seconded the motion to endorse the Department's proposal to pursue the purchase of the Fish Creek parcels. Motion carried. (Vermillion recused himself due to his involvement with The Nature Conservancy).

23. Open Microphone – Public Opportunity to Address Additional FWP Issues.

Tom Barnes, Dillon, MTA, offered FWP the opportunity to partner with them at their annual spring fur auction in Columbus. He said FWP could dispose of any hides, heads, etc. He also extended an invitation to attend MTA's annual convention in September, in Lewistown.

John Helle, Montana Woolgrower's Association, said there is an increase in wolf depredation in southwest Montana. They have lost 20 ewes and 20 rams, and cattle operations have lost calves. They need more direction on what to do. They would like some of the revenue from the wolf hunt go to ranchers to subsidize depredation of livestock.

Director Maurier expressed appreciation to Gary Bertellotti for his dedicated service to the Department the last six months while filling in at Helena Headquarters in the Director's Office. He also acknowledged Graham Taylor for acting as Region 4 Supervisor in Bertellotti's absence.

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*Action: Doll moved and Moody seconded the motion to adjourn the meeting. Motion carried.*

Meeting adjourned at 3:00 p.m.

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**Bob Ream, Acting Chairman**

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**Joe Maurier, Director**